

**CARR & FERRELL LLP**  
**ATTORNEYS AT LAW**2200 GENG ROAD • PALO ALTO, CALIFORNIA 94303  
TELEPHONE (650) 812-3400 • FACSIMILE (650) 812-3444**RECEIVED**  
**CENTRAL FAX CENTER****MAY 23 2005****FACSIMILE COVER SHEET**

**TO:** CENTRAL FAX NUMBER  
UNITED STATES PATENT AND TRADEMARK OFFICE  
**FAX NUMBER:** 703-872-9306

**FROM:** CARR & FERRELL LLP  
**FAX NUMBER:** 650-812-3444  
**PHONE NUMBER:** 650-812-3400

**DATE:** MAY 23, 2005

**TOTAL PAGES:** 5 (INCLUDING COVER SHEET)

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**MESSAGE:**

Please see attached Revocation and Power of Attorney for Application No. 09/073,452.

IN THE  
UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Lang et al.  
APPLICATION NO.: 09/073,452  
FILING DATE: May 6, 1998  
TITLE: System and Method for Time Shifted Program Viewing  
ART UNIT: 2615  
EXAMINER: Tran  
ATTY.DKT.NO.: PA3099US (NEW)

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COMMISSIONER FOR PATENTS  
P.O. BOX 1450  
ALEXANDRIA, VA 22313-1450

REVOCATION AND POWER OF ATTORNEY

I, the undersigned, ERIC WALTERS, as Vice President of Operations for BURST.COM, INC., the assignee of the entire right, title and interest in the above-referenced United States patent application, hereby revoke all prior powers of attorney previously submitted in the above-referenced U.S. patent application and hereby appoint the agents and attorneys associated with Customer Number 22890 to prosecute this application and to transact all business in the U.S. Patent and Trademark Office connected therewith.

Please direct all communication relative to this application to the following correspondence address:

CARR & FERRELL LLP  
2200 Geng Road  
Palo Alto, CA 94303  
TEL: (650) 812-3400  
FAX: (650) 812.3444

Respectfully submitted,

Date: 4-4-2005



Eric Walters, Vice President  
Burst.com, Inc.

(001425K9v1)

PTO/SB/05 (05-04)  
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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE  
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**STATEMENT UNDER 37 CFR 3.73(b)**

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MAY 23 2005

Applicant/Patent Owner: Richard Lang, Eric Wallers

Application No./Patent No.: 09/073,452 Filed/Issue Date: May 8, 1998

Entitled: System and Method for Time Shifted Program Viewing

Burst.com, Inc. a corporation  
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest.  
The extent (by percentage) of its ownership interest is \_\_\_\_\_ %  
in the patent application/patent identified above by virtue of either:

A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

OR

B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
2. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
3. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

☒ Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

4-4-2005

Date

707-541-3870

Telephone number

Eric Wallers

Typed or printed name

E. Wallers

Signature

Vice President, Operations

Title

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2

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PA3099US

## ASSIGNMENT

For good and valuable consideration, the receipt of which is hereby acknowledged, we, the undersigned, Richard Lang and Eric Walters, do hereby sell, assign, and transfer to Burst.com, Inc., a corporation with offices at 619 Fourth Street, Suite 201, Santa Rosa, California, 95404 ("Assignee"), and its successors, assigns, and legal representatives, the entire right, title and interest for the United States and all foreign countries, in and to any and all improvements which are disclosed in United States patent application number 09/073,452 and entitled System and Method for Time Shifted Program Viewing and in and to said application and all utility, divisional, continuing, substitute, renewal, reissue, and all other patent applications which have been or shall be filed in the United States and all foreign countries on any of said improvements; and in and to all original and reissued patents which have been or shall be issued in the United States and all foreign countries on said improvements; and in and to all rights of priority resulting from the filing of said United States patent application; and

Agree that said Assignee may apply for and receive patents for said improvements in its own name; and that, when requested, without charge to, but at the expense of, said Assignee, its successors, assigns and legal representatives, to carry out in good faith the intent and purpose of this Assignment, the undersigned will execute all divisional, continuing, substitute, renewal, reissue, and all other patent applications on any and all said improvements; execute all rightful oaths, assignments, powers of attorney and other papers; communicate to said Assignee, its successors, assigns, and representatives, all facts known to the undersigned relating to said improvements and the history thereof; and generally do everything possible which said Assignee, its successors, assigns or representatives shall consider desirable for aiding in securing and maintaining proper patent protection for said improvements and for vesting title to said improvements and all applications for patents and all patents on said improvements, in said Assignee, its successors, assigns and legal representatives; and

Covenant with said Assignee, its successors, assigns and legal representatives that no assignment, grant, mortgage, license or other agreement affecting the rights and property herein conveyed has been made to others by the undersigned, and that full right to convey the same as herein expressed is possessed by the undersigned.

Date: \_\_\_\_\_

Name: \_\_\_\_\_

Richard Lang

Date: 4-4-2005Name: E Walters

Eric Walters

MAY 23 2005 1:52PM  
FROM: BURST.COM

CARR & FERRELL LLP  
FAX NO. : 7075796033

NO. 935 P. 5  
Apr 04 2005 11:30AM P2

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### ASSIGNMENT

For good and valuable consideration, the receipt of which is hereby acknowledged, we, the undersigned, Richard Lang and Eric Walters, do hereby sell, assign, and transfer to Burst.com, Inc., a corporation with offices at 613 Fourth Street, Suite 201, Santa Rosa, California, 95404 ("Assignee"), and its successors, assigns, and legal representatives, the entire right, title and interest for the United States and all foreign countries, in and to any and all improvements which are disclosed in United States patent application number 09/073,452 and entitled System and Method for Time Shifted Program Viewing and in and to said application and all utility, divisional, continuing, substitute, renewal, reissue, and all other patent applications which have been or shall be filed in the United States and all foreign countries on any of said improvements; and in and to all original and reissued patents which have been or shall be issued in the United States and all foreign countries on said improvements; and in and to all rights of priority resulting from the filing of said United States patent application; and

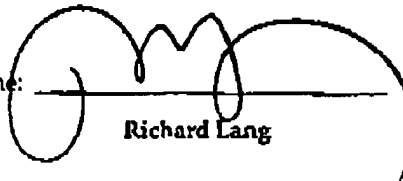
Agree that said Assignee may apply for and receive patents for said improvements in its own name; and that, when requested, without charge to, but at the expense of, said Assignee, its successors, assigns and legal representatives, to carry out in good faith the intent and purpose of this Assignment, the undersigned will execute all divisional, continuing, substitute, renewal, reissue, and all other patent applications on any and all said improvements; execute all rightful oaths, assignments, powers of attorney and other papers; communicate to said Assignee, its successors, assigns, and representatives, all facts known to the undersigned relating to said improvements and the history thereof; and generally do everything possible which said Assignee, its successors, assigns or representatives shall consider desirable for aiding in securing and maintaining proper patent protection for said improvements and for vesting title to said improvements and all applications for patents and all patents on said improvements, in said Assignee, its successors, assigns and legal representatives; and

Covenant with said Assignee, its successors, assigns and legal representatives that no assignment, grant, mortgage, license or other agreement affecting the rights and property herein conveyed has been made to others by the undersigned, and that full right to convey the same as herein expressed is possessed by the undersigned.

Date:

4-4-05

Name:

  
Richard Lang

Date:

\_\_\_\_\_

Name:

\_\_\_\_\_

Eric Walters